

REMARKS

Reconsideration and withdrawal of the rejections of the application are respectfully requested in view of the amendments and remarks herewith, which place the application into condition for allowance.

I. STATUS OF THE CLAIMS AND FORMAL MATTERS

Claims 1-149 and 267-278 are pending. Claim 1 is amended and claims 150-266 are cancelled, without prejudice. The changes to the claims are made solely for purposes of clarification and, thus, do not affect the scope of equivalents accorded thereto. No new matter is added.

A Petition for a two-month extension of time is enclosed. If any additional fees are deemed necessary, authorization is given to charge the amount of any such fee, or credit any overpayment, to Deposit Account No. 08-2525.

II. 35 U.S.C. §101 DOUBLE PATENTING REJECTION

Claim 1 was rejected under statutory-type double patenting as allegedly claiming the same invention as that of claim 1 of U.S. Patent No. 6,320,050. Claim 1 is amended to recite that R⁴ is an unsubstituted or mono-substituted thiazole or thiadiazole, thereby rendering the double patenting rejection moot.

Consequently, reconsideration and withdrawal of the Section 101 double patenting rejection are respectfully requested.

CONCLUSION

In view of the remarks and amendments herewith, the application is in condition for allowance. Favorable reconsideration of the application and prompt issuance of a Notice of Allowance are earnestly solicited. The Examiner is invited to contact the undersigned to discuss any issues with respect to this application.

Respectfully submitted,



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